

REMARKS

In the Office Action mailed September 30, 2008, the Examiner noted that claims 1-14, 17, and 19-23, 25 and 26 were pending and rejected claims 1-5, 7, 10, 17, 21 and 24-26 all other claims being withdrawn. Claims 1-5, 7, 17, 19-21 and 25 have been amended, no claims have been canceled, claim 27 and 28 are new, and, thus, in view of the foregoing, claims 1-14, 17, and 19-23, 25-28 remain pending for reconsideration which is requested. No new matter has been added. The Examiner's rejections are traversed below.

REJECTIONS under 35 U.S.C. § 103

Claims 1, 2, 4, 5, 7, 10, 17, 21, 25 and 26 stand rejected under 35 U.S.C. § 103(a) as being obvious over Gorday, U.S. Patent No. 6,665,521 in view of Kotzin, U.S. Patent No. 6,864,501. The Applicant respectfully disagrees and traverses the rejection with an argument and amendment.

Gorday discusses a system of communicating between a wireless network and a plurality of wireless devices.

Kotzin discusses mobile communications devices including a device having a first radio module removably coupled a second electronics device, having a second radio module removably coupled, the radio modules supporting common radio communications devices when both of the first and second radio modules are coupled to the same device, and the first and second

radio modules supporting radio communications of the first and second devices when coupled.

The Applicants have amended claim 1 to further recite "said microcircuit cards are at least one of a proximity card with a 10cm range and vicinity card with a 70cm range." Support for the amendment may be found, for example, in ¶ 0009 of the printed publication version of the Specification. The Applicants submit that no new matter is believed to have been added by the amendment of claim 1. Claim 25 has likewise been amended.

The applicant respectfully submits that the contactless communication means is performed by either a proximity card with a 10cm range or vicinity card with a 70cm range. The Applicant respectfully submits that such a feature is not taught by either Gorday nor Kotzin. For example, Gorday Fig. 1, shows a set of two way devices that communicate over a great distance to a base station 20 or with each other. Kotzin, in Fig. 3, shows a lap top, cell phone, etc. which communicate over a great distance contacting via radio.

Further, both Gorday and Kotzin fail to disclose contactless communication means or the communication between two or microcircuit cards.

The features of claim 1 allow numerous applications among which is, for example, enabling exchange of data by communication between two smart cards of the type listed in the description (e.g. ID card, public transport card) located in an

individual's wallet.

For at least the reasons discussed above, Gorday and Kotzin, taken separately or in combination, fail to render obvious the features of claims 1 and 25 and the claims dependent therefrom.

Claim 3 stands rejected under 35 U.S.C. § 103(a) as being obvious over Gorday view of Ghirnikar U.S. Patent No. 6,216,001. The Applicant respectfully disagrees and traverses the rejection with an argument.

Ghirnikar adds nothing to the deficiencies of Gorday and Kotzin as applied against the independent claim. Therefore, for at least the reasons discussed above, Gorday, Kotzin and Ghirnikar, taken separately or in combination, fail to render obvious the features of claim 1.

Withdrawal of the rejections is respectfully requested.

#### NEW CLAIMS

Claims 27 and 28 are new. Support for the claims may be found, for example, in ¶ 0009 of the printed publication version of the Specification. The Applicants submit that no new matter is believed to have been added by the inclusions of claims 27 and 28. Neither reference teaches either of the ISO/IEC standards 15693 or 14443.

SUMMARY

It is submitted that the claims satisfy the requirements of 35 U.S.C. § 103. It is also submitted that claims 1-14, 17, and 19-23 and 25-28 continue to be allowable. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON

/James J. Livingston, Jr./  
James J. Livingston, Jr.  
Reg.No. 55,394  
209 Madison St, Suite 500  
Alexandria, VA 22314  
Telephone (703) 521-2297  
Telefax (703) 685-0573  
(703) 979-4709

JJL/jr